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EXAMINER

AKERS, GEOFFREY R

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 07/17/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/01/2006

Applicant(s)

Bruder

Examiner

Alan, G

Group Art Unit

3624

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on 8/3/00
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-46 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-46 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 8,9
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other \_\_\_\_\_

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### **DETAILED ACTION**

1. Claims 1-46 have been examined.

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-46 are rejected under 35 USC 103(a) as unpatentable over Hainonen(US Pat. No: 6,418,326) in view of Hannula(US Pat. No: 6,366,893) and further in view of Jachimowicz(US Pat. No: 5,789,733).
4. As per claim 1 Heinonen teaches a system for processing payments between payors and payees using a communication by means of digital telephony(Abstract)(col 2 line 20-col 3 line 59). Heinonen teaches a first server interconnected with a telecommunications means with a storage means(col 5 line 42-col 6 line 3)(Fig 1) including account managment means(col 8 line 27-col 9 line 5).Heinonen does not specifically teach that the telecommunications means comprises a plurality of equipment. Hannula teaches this(Fig 1)(Fig 2)(Fig 3) as well as a storage means(Fig 4/DB1/DB2) as well as authorization of payments(Fig 6/21/20).Hannula does not specifically teach authorization means and verifying means in financial transactions. Jachimowicz teaches authorization means and verifying means in processing financial transactions(col 3 lines 42-56). It would have been obvious to one skilled in the art at the time of the invention to combine

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Heinonen in view of Hannula to teach part of the above. The motivation to combine is to teach an electronic payment system in telecommunications that provides mobile stations with payment mechanisms that would satisfy the needs of as many users as possible and that would not have to be changed for a long time(col 1 lines 50-54)(col 1 line 66-col 2 line 2) as enunciated by Hannula. Furthermore it would have been obvious to one skilled in the art at the time of the invention to combine Heinonen in view of Hannula and further in view of Jachimowicz to teach the above. The motivation to combine Jachimowicz with Heinonen in view of Hannula is to teach a smart card electronic payment system having database security storage and which can facilitate financial payment transactions as enunciated by Jachimowicz(col 1 lines 46-59).

5. As per claim 2 Heinonem teaches a system according to claim 1 where the admissible identification code is given from network address(col 6 lines 25-41).

6. As per claim 3 Heinonem teaches a system according to claim 1 where the verifying means verify the payor's admissible number from a code received(col 8 line 45-63).

7. As per claims 4-8 Hannula teaches a system according to claim 1 wherein the acceptance messages generated by the nth verifying means generates an order to the telecommunications means(Abstract) to communicate with the mobile telephone(col 2 lines 20-55)(Fig 2)(col 4 lines 23-50). It would have been obvious to one skilled in the art at the time of the invention to combine Heinonen in view of Hannula to teach part of the above. The motivation to combine is to teach an electronic payment system in telecommunications that provides mobile stations with payment mechanisms that would satisfy the needs of as many users as possible and that would not

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have to be changed for a long time(col 1 lines 50-54)(col 1 line 66-col 2 line 2) as enunciated by Hannula.Furthermore it would have been obvious to one skilled in the art at the time of the invention to combine Heinonen in view of Hannula and further in view of Jachimowicz to teach the above. The motivation to combine Jachimowicz with Heinonen in view of Hannula is to teach a smart card electronic payment system having database security storage and which can facilitate financial payment transactions as enunciated by Jachimowicz(col 1 lines 46-59).

8. As per claims 9-16 Heinonen teaches a system according to claims 7-9,11,1,15 respectively whereby the account management means comprises a first transmission means transmitting credit to an administration and managment server that comprises a payee's data bank(col 3 lines 40-60)(Fig 6)(col 8 lines 45-col 9 line 5)(col 10 lines 1-67).

9.As per claims 17,21-27 Hannula teaches a system according to claim 15 where the verification means verify whether the safety parameter contains a result of a self-verification. Hannula teaches digital money protocols(col 45 line 4-col 5 line 18). Hannula also teaches a price for each product(col 5 lines 31-65) in transactions and money transfer(col 7 lines 31-col 8 line 12). It would have been obvious to one skilled in the art at the time of the invention to combine Heinonen in view of Hannula to teach part of the above and to apply encrytion to the verification process when applied to protocols for networks. The motivation to combine is to teach an electronic payment system in telecommunications that provides mobile stations with payment mechanisms that would satisfy the needs of as many users as possible and that would not have to be changed for a long time(col 1 lines 50-54)(col 1 line 66-col 2 line 2) as enunciated by

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Hannula. Furthermore it would have been obvious to one skilled in the art at the time of the invention to combine Heinonen in view of Hannula and further in view of Jachimowicz to teach the above. The motivation to combine Jachimowicz with Heinonen in view of Hannula is to teach a smart card electronic payment system having database security storage and which can facilitate financial payment transactions as enunciated by Jachimowicz(col 1 lines 46-59).

10. As per claims 18-19 Heinonen teaches the use of a safety parameter(Fig 4a-1/106)(col 10 lines 22-56).

11. As per claims 30-34 Hannula teaches a storage means(Fig 1)(Fig 2)(Fig 3)(Fig 4/DB1/DB2) as well as authorization of payments(Fig 6/21/20). Hannula does not specifically teach authorization means and verifying means in financial transactions. Jachimowicz teaches authorization means and verifying means in processing financial transactions(col 3 lines 42-56). It would have been obvious to one skilled in the art at the time of the invention to combine Heinonen in view of Hannula to teach part of the above. The motivation to combine is to teach an electronic payment system in telecommunications that provides mobile stations with payment mechanisms that would satisfy the needs of as many users as possible and that would not have to be changed for a long time(col 1 lines 50-54)(col 1 line 66-col 2 line 2) as enunciated by Hannula. Furthermore it would have been obvious to one skilled in the art at the time of the invention to combine Heinonen in view of Hannula and further in view of Jachimowicz to teach the above. The motivation to combine Jachimowicz with Heinonen in view of Hannula is to teach

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a smart card electronic payment system having database security storage and which can facilitate financial payment transactions as enunciated by Jachimowicz(col 1 lines 46-59).

12. As per claims 37-44 Heinonen teaches a server with inquiry means(Fig 4b-1/118/121)(Fig 4b-2/123/125) with respect to telephone numbers and codes.

13. Claims 45 and 46 are rejected under the same rationale as delineated in claims 1-44 above.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

14. Claims 28-29,35-36 are rejected under 35 USC 112(2nd) as failing to point out and specifically address the characteristics of the invention. A clearer and more precise resolution of these claims in the light of the rest of the delineation is required to address the distinctions.

***Conclusion***

15. **THIS ACTION IS MADE NON-FINAL.**

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16. Any questions concerning this communication should be addressed to the examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the examiner are unsuccessful, the examiner's superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 3600 or this Art Unit is (703)-308-3687. Any inquiry of a general nature or relating to the

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status of this application should be directed to the Group receptionist whose telephone number is  
(703)-308-1113.

GRA

July 17, 2002